IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7066 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BHIM VAKANI

Versus

DIRECTOR OF SONG AND DRAMA DIVISION

Appearance:

MR PR NANAVATI for Petitioner

MS PAUROMI SHETH for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 05/07/2000

ORAL JUDGEMENT

#. Heard the learned counsel for the parties.

#. I find that by passing of time, now this petition has substantially become infructuous. Even if the action which has been taken against the petitioner is accepted to be illegal and arbitrary, still no relief whatsoever

can be granted to the petitioner. As a result of audition test which was held on 23rd, 24th and 25th of June 1988, a list was prepared and currency of which is likely to come to an end during this month.

#. The learned counsel for the respondents submitted that fresh applications will be invited for this audition test and if the petitioner applies, his case will be considered by the selection committee. The learned counsel for the petitioner has only apprehension that the selection committee may reject him in the selection for alleged his criticism of the Government policies etc. for which the action has been taken. The learned counsel for the respondents fairly submitted that this is only apprehension and candidature of the petitioner shall be considered on merits.

#. In the result, this special civil application and Rule stands disposed of in the terms that as and when applications are invited for audition test by respondents and if the petitioner applies, the selection committee will consider his case fairly and impartially and without having any influence of what it has been complained of against him in the past. It is expected of the respondents to forget and forgive for what it is alleged to be committed by petitioner to criticise the policies of Government. No order as to costs.

(S.K.Keshote, J.)

(sunil)